

ORDINANCE 17 - 2014

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE XI, ENTITLED "ARCHITECTURAL DESIGN GUIDELINES FOR NONRESIDENTIAL BUILDINGS" AND RENUMBERING ARTICLE XI AS XII; PROVIDING FOR THE AMENDMENT OF SECTION 78-330 ENTITLED "GENERAL PROVISIONS"; AMENDING SECTION 78-333 ENTITLED "BUILDING FAÇADE AND ELEVATION"; AMENDING 78-337 ENTITLED "PREFERRED ROOF MATERIALS AND STYLES"; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapters 163, Florida Statutes; and

WHEREAS, the Town Commission has adopted land development regulations and codified same in Chapter 78 of the Town Code which require non-residential buildings to meet certain architectural design guidelines; and

WHEREAS, the Town Commission has determined that the public's health, safety and general welfare would be furthered by the amendment of the architectural guidelines as applied to buildings in certain areas of the Town; and

WHEREAS, the Town's Planning and Zoning Board considered the amendments herein and has made its recommendations regarding same to the Town Commission approving them.

NOW, THEREFORE, be it ordained by the Town Commission of the Town of Lake Park, Florida that:

Section 1. The whereas clauses are incorporated herein as true and correct and as legislative findings of the Town Commission.

Section 2. Chapter 78 of the Town Code of Ordinances is hereby amended as follows:

ARTICLE XI XII. ARCHITECTURAL DESIGN GUIDELINES FOR NONRESIDENTIAL BUILDINGS

Sec. 78-330. - General provisions.

(1) *Intent.* The provisions of this article are intended to establish orderly and consistent architectural standards and guidelines for new construction and the redevelopment of nonresidential buildings and structures within the Town.

(2) *Applicability.*

- (a) ~~All New nonresidential buildings or structures must shall comply with all of the provisions of this article.~~
- (b) All renovations, additions, or redevelopment to existing structures for which a building permit is required, and where the total cost of the construction is greater than 50 percent of the assessed value of the property as reflected by the most recent tax roll of Palm Beach County Property Appraiser, or an increase of greater than 20 percent of the square footage of the existing structure must comply with all of the provisions of this article.
- (c) All renovations, additions, or redevelopment of existing structures for which a building permit is required, and where the total cost of the construction is less than 50 percent of the assessed value of the property as reflected by the most recent tax roll of Palm Beach County Property Appraiser, or an increase of less than 20 percent of the square footage of the existing structure shall comply with the provisions of this article to the greatest extent possible.
- (d) Minor repairs, maintenance, or similar improvements that do not require a building permit, are exempt from the provisions of this article.
- (e) All existing nonresidential buildings that are being repainted shall be subject to the Building Color and Finish provisions of this article.

(...)

Sec. 78-333. - Building facade and elevation.

(1) *Building features and ornamentation.* The following building features and ornamentation are encouraged:

- (a) Cornices and parapets, moldings, pilasters, window surrounds, asymmetrical facades, multilevel roofs, and similar elements;
- (b) Tile, plaster, poured concrete, or brick materials, consistent with design and style;
- (c) Functional and ornamental balconies and balustrades located on the walls or facades facing public rights-of-way, excluding alleys;
- (d) Arcades designed with arches; and
- (e) Exterior detail elements such as banding and other applied stucco detailing.

(2) Preferred exterior materials. Preferred building exterior siding materials shall include stucco and brick, however cast stone, split blocks, ceramic tiles, high quality coated metal panel systems, and stone are acceptable. Materials including wood, metal siding, fluted block and glass window systems are prohibited discouraged, except where proposed for buildings along the industrial zoning districts abutting 10th Court, 12th Street, 13th Street, 14th Street, 15th Street, Brant Road, Miller Way, Gateway Road, Newman Road, Joule Road, Kinetic Road, South Killian Drive, and North Killian Drive. Buildings on parcels fronting Old Dixie Highway, Watertower Road, Park Avenue Extension Road and Silver Beach Road may use wood, metal siding, fluted block, and glass window systems provided they are combined with the preferred exterior materials listed herein on at least 25% of the façade, provided that the wood is stained or painted; metal siding is vinyl-coated or otherwise coated; and fluted block is split and scored or ribbed.

(3) Recesses/projections.

(a) All nonresidential buildings with fFacades greater than 50 feet in length shall incorporate recesses and projections a minimum of 12 inches in depth along a minimum of 20 percent of the total length of the facade. The recesses or projections shall be distributed along the facade with a maximum spacing of 100 feet between each recess or projection.

(b) All nonresidential buildings abutting 10th Court, 12th Street, 13th Street, 14th Street, 15th Street, Brant Road, Miller Way, Gateway Road, Newman Road, Joule Road, South Killian Drive, and North Killian Drive are exempt from (a) above for rear and side facades, provided the length of the façade does not exceed 100 feet and does not front a right-of-way.

(c) Buildings fronting Old Dixie Highway, Watertower Road, Park Avenue Extension Road and Silver Beach Road shall provide additional façade and entrance treatments and have recesses and projections pursuant to (a) above along their side and rear facades greater than 100 feet.

(4) Visible facades. All building facades that are or will be visible from a public right-of-way and/or adjacent and abutting properties shall be designed with regard to their surroundings, but should not be designed to create look-alike buildings. Harmony must be achieved through the proper use of scale, proportions, form, materials, texture, and color.

(5) Trademark forms and colors. Businesses and commercial enterprises which propose the use of trademarks, symbolic forms and/or architecture and/or colors schemes in the construction or redevelopment of a property are prohibited if in the sole discretion of the Town Commission, the proposed features will create a negative visual impact on the surrounding area.

(6) Blank walls. Blank walls shall not exceed ten feet in height or 20 feet in length. Control and expansion joints shall constitute a blank wall, unless used in a decorative

pattern with varied materials or textures and spaced a maximum of ten feet on center. Relief and reveal depth shall be a minimum of three-quarter inch. Building wall offsets, including projections, recesses and changes in floor level, shall be used to add architectural interest and variety. Walls (except front walls) within industrial zoning districts and abutting 10th Court, 12th Street, 13th Street, 14th Street, 15th Street, Brant Road, Miller Way, Gateway Road, Newman Road, Joule Road, Kinetic Road, South Killian Drive, and North Killian Drive, that measure less than 100 feet in length, and that are used primarily for garage bay access are exempt from this requirement, but shall incorporate variation in color and material pursuant to Section 78-333 and Section 78-334.

(...)

Sec. 78-337. - Preferred roof materials and styles.

(3) *Edge and parapet treatment. A minimum of two locations, the roof edge and/or parapet shall have a vertical change from the dominant roof condition a minimum of four feet. At least one such change shall be located on a primary facade adjacent to the street or right-of-way. Architects and building designers are encouraged to articulate the parapet wall as a means of adding interest to the building facade and to screen any mechanical equipment. Properties which abut 10th Court, 12th Street, 13th Street, 14th Street, 15th Street, Brant Road, Miller Way, Gateway Road, Newman Road, Joule Road, Kinetic Road, South Killian Drive, and North Killian Drive, shall provide a minimum of one vertical change on the primary facade adjacent to the street or right-of-way is required. For corner lots, a minimum of two vertical changes will still be required if the side street facade is greater than 100 feet in length.*

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Section 6. Effective Date. This Ordinance shall take effect immediately upon adoption.

Upon First Reading this 17 day of December, 2014, the foregoing Ordinance was offered by Vice-Mayor Glas-Castro, who moved its approval. The motion was seconded by Commissioner Flaherty and being put to a vote, the result was as follows:

| | AYE | NAY |
|---------------------------------|---------------|---------------|
| MAYOR JAMES DUBOIS | <u>/</u> | <u> </u> |
| VICE-MAYOR KIMBERLY GLAS-CASTRO | <u>/</u> | <u> </u> |
| COMMISSIONER ERIN FLAHERTY | <u>/</u> | <u> </u> |
| COMMISSIONER MICHAEL O'ROURKE | <u>Absent</u> | <u> </u> |
| COMMISSIONER KATHLEEN RAPOZA | <u>/</u> | <u> </u> |

PUBLISHED IN THE PALM BEACH POST THIS 28 DAY OF December, 2014

Upon Second Reading this 7 day of January, 2015, the foregoing Ordinance, was offered by Commissioner Rapoza, who moved its adoption. The motion was seconded by Commissioner Flaherty and being put to a vote, the result was as follows:

| | AYE | NAY |
|---------------------------------|----------|---------------|
| MAYOR JAMES DUBOIS | <u>/</u> | <u> </u> |
| VICE-MAYOR KIMBERLY GLAS-CASTRO | <u>/</u> | <u> </u> |
| COMMISSIONER ERIN FLAHERTY | <u>/</u> | <u> </u> |
| COMMISSIONER MICHAEL O'ROURKE | <u>/</u> | <u> </u> |
| COMMISSIONER KATHLEEN RAPOZA | <u>/</u> | <u> </u> |

The Mayor thereupon declared **Ordinance No.** 17-2014 duly passed and adopted this 7 day of January, 2015.

TOWN OF LAKE PARK, FLORIDA

BY: James DuBois
Mayor, James DuBois

ATTEST:

Vivian Mendez
Town Clerk, Vivian Mendez
(Town Seal)
TOWN OF LAKE PARK
FLORIDA

Approved as to form and legal sufficiency:

Thomas J. Baird
Town Attorney, Thomas J. Baird

RECEIPT

**LEGAL NOTICE OF
PROPOSED ORDINANCE
TOWN OF LAKE PARK**

Please take notice that on Wednesday, January 7, 2015 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinance on second reading and proposed adoption thereof:

Ordinance No. 16-2014
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78 OF THE TOWN CODE TO CREATE A NEW ARTICLE XI ENTITLED "FLEXIBLE LAND DEVELOPMENT REGULATIONS"; PROVIDING FOR A PURPOSE AND INTENT; PROVIDING THE COMMUNITY DEVELOPMENT DIRECTOR WITH THE ADMINISTRATIVE AUTHORITY TO WAIVE CERTAIN ZONING REGULATIONS TO FACILITATE ECONOMIC DEVELOPMENT AND REDEVELOPMENT IN THE TOWN; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance No. 17-2014
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If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida

PUB: The Palm Beach Post 12-28/2014
#349318